

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 12/8/2020

United States,

—v—

Andres Benejan.

Defendant.

20-cr-259 (AJN)

ORDER

ALISON J. NATHAN, District Judge:

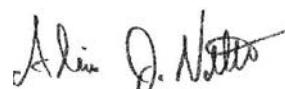
A conference in this matter is scheduled for **December 17, 2020 at 11:00 A.M.** The proceeding will be conducted by videoconference via the Skype for Business Platform. The Court will separately provide the parties with instructions for accessing the conference. Members of the public may access the audio of the proceeding by calling 917-933-2166 entering Conference ID 809703099.

If possible, defense counsel shall discuss the attached Waiver of Right to be Present at Criminal Proceeding with the Defendant and return the completed form **at least 24 hours prior to the proceeding.** Defense counsel may sign on the Defendant's behalf if authorized by the Defendant to do so.

The parties shall submit a joint status letter no later than November 14, 2020 indicating what they anticipate will occur at conference.

SO ORDERED.

Dated: December 7, 2020
New York, New York



ALISON J. NATHAN
United States District Judge

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF NEW YORK

-----X

UNITED STATES OF AMERICA

-v-

**WAIVER OF RIGHT TO BE
PRESENT AT CRIMINAL
PROCEEDING**

,

Defendant.

(AJN)

-----X

Check Proceedings that Apply

Violation of Supervised Release Conference

I understand that I have a right to appear before a judge in a courtroom in the Southern District of New York at the time the conditions of my release on supervision or my remand to custody are discussed. I have discussed these issues with my attorney and wish to give up my right to be present at the conferences. By signing this document, I wish to advise the court that I willingly give up my right to be present at the conferences in my case for the period of time in which access to the courthouse has been restricted on account of the COVID-19 pandemic. I request that my attorney be permitted to represent my interests at the proceedings even though I will not be present.

Date: _____

Print Name

Signature of Defendant

____ Admission of Specification

I am aware that I have been charged with violations of the terms of supervised release. I have consulted with my attorney about those charges. I have decided that I wish to admit to certain specifications. I understand I have a right to appear before a judge in a courtroom in the Southern District of New York to enter my admission of the specifications and to have my attorney beside me as I do. I am also aware that the public health emergency created by the COVID-19 pandemic has interfered with travel and restricted access to the federal courthouse. I have discussed these issues with my attorney. By signing this document, I wish to advise the court that I willingly give up my right to appear in person before the judge to admit to certain specifications. By signing this document, I also wish to advise the court that I willingly give up any right I might have to have my attorney next to me as I enter my plea so long as the following conditions are met. I want my attorney to be able to participate in the proceeding and to be able to speak on my behalf during the proceeding. I also want the ability to speak privately with my attorney at any time during the proceeding if I wish to do so.

Date: _____

Print Name

Signature of Defendant

____ Sentencing

I understand that I have a right to appear before a judge in a courtroom in the Southern District of New York at the time of my sentence and to speak directly in that courtroom to the judge who will sentence me. I am also aware that the public health emergency created by the COVID-19 pandemic has interfered with travel and restricted access to the federal courthouse. I do not wish to wait until the end of this emergency to be sentenced. I have discussed these issues with my attorney and willingly give up my right to be present, at the time my sentence is imposed, in the courtroom with my attorney and the judge who will impose that sentence. By signing this document, I wish to advise the court that I willingly give up my right to appear in a courtroom in the Southern District of New York for my sentencing proceeding as well as my right to have my attorney next to me at the time of sentencing on the following conditions. I want my attorney to be able to participate in the proceeding and to be able to speak on my behalf at the proceeding. I also want the ability to speak privately with my attorney at any time during the proceeding if I wish to do so.

Date: _____

Print Name

Signature of Defendant

I hereby affirm that I am aware of my obligation to discuss with my client the specifications of violation of supervised release, my client's rights to attend and participate in the criminal proceedings encompassed by this waiver, and this waiver form. I affirm that my client knowingly and voluntarily consents to the proceedings being held with my client and me both participating remotely.

Date: _____

Print Name

Signature of Defense Counsel

Accepted: _____

Signature of Judge

Date:
